

JAP:CAC

M-10-554

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(21 U.S.C. §§ 952(a)
and 960)

ROBERT LOPERA,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

JOHN GAUDIOSO, being duly sworn, deposes and states that he is a Special Agent with United States Immigration and Customs Enforcement ("ICE"), duly appointed according to law and acting as such.

Upon information and belief, on or about May 11, 2010, within the Eastern District of New York and elsewhere, defendant ROBERT LOPERA did knowingly, intentionally and unlawfully import into the United States from a place outside thereof cocaine, a Schedule II controlled substance.

(Title 21, United States Code, Sections 952(a) and 960).

The source of your deponent's information and the grounds for his belief are as follows:^{1/}

^{1/} Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

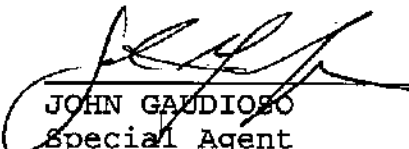
1. At approximately 9:09 p.m. on May 11, 2010, defendant ROBERT LOPERA arrived at John F. Kennedy International Airport in Queens, New York, aboard Avianca Flight No. 284 from Bogota, Columbia.

2. Defendant ROBERT LOPERA was selected for a customs examination. During the examination, the defendant ROBERT LOPERA claimed ownership of a black "Faraway" suitcase (the "Suitcase") and one black "Delta" duffle bag and presented them for inspection to a Customs and Border Protection ("CBP") officer.

3. Upon examination of the Suitcase, a gift package was removed and examined by the CBP officer. The gift package contained a box of chocolates, which was opened and felt unusually hard. The CBP officer then probed the chocolate, which revealed a white powdery substance. The white powdery substance field-tested positive for cocaine. At that point, the defendant ROBERT LOPERA was placed under arrest.

4. The total approximate gross weight of the cocaine found inside the box of chocolates is 6,886.1 grams.

WHEREFORE, your deponent respectfully requests that defendant ROBERT LOPERA be dealt with according to law.



JOHN GAUDIO
Special Agent
Immigration and Customs
Enforcement

Sworn to before me this
12th day of May, 2010

THE HONORABLE ROBERT M. LEVY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK